

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ROSE ROBERSON

Plaintiff,

v.

OLLIE’S BARGAIN OUTLET, INC.,

Defendant.

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Case No. 3:21cv00312

NOTICE OF REMOVAL

Defendant Ollie’s Bargain Outlet, Inc. (“Ollie’s”), by counsel, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, hereby removes to this Court the state court action described below, which was filed in the Circuit Court for the City of Richmond, Virginia. As grounds for removal, Ollie’s states as follows:

1. On or about May 22, 2020, Plaintiff Rose Roberson filed Case No. CL20002919-00 in the Circuit Court for the City of Richmond, Virginia.
2. On April 26, 2021, Ollie’s registered agent in Virginia was served with a Summons and copy of the Complaint. A copy of the Summons and Complaint is attached hereto as **Exhibit A**.
3. Ollie’s is a Pennsylvania corporation with its principal office in Harrisburg, Pennsylvania. Ollie’s is not a citizen of the Commonwealth of Virginia.
4. Plaintiff makes no allegation regarding her citizenship in her Complaint. On information and belief, Plaintiff is a Virginia resident residing in Chester, Virginia.
5. Plaintiff seeks \$1,500,000.00 as set out in the ad damnum of her Complaint.

6. This Court has diversity jurisdiction over the action, pursuant to 28 U.S.C. § 1332, because (1) complete diversity of citizenship exists between the parties, and (2) the amount in controversy exceeds \$75,000.00, exclusive of costs and interest.

7. Venue is proper in this Court, pursuant to 28 U.S.C. § 1441(a), because the underlying action is pending in a Virginia state court embraced within the district and division of this Court.

8. This removal is timely, pursuant to 28 U.S.C. § 1446(b)(1), because this notice is filed within thirty (30) days after Ollie's receipt of the Complaint.

9. Pursuant to 28 U.S.C. § 1446(d), contemporaneous with this filing, Ollie's will notify and file a copy of this Notice with the Clerk for the Circuit Court for the City of Richmond. A copy (pleading only) is attached hereto as **Exhibit B**.

WHEREFORE, Ollie's Bargain Outlet, Inc., by counsel, respectfully removes this case from the Circuit Court for the City of Richmond to the United States District Court for the Eastern District of Virginia, Richmond Division.

Dated: May 17, 2021.

Respectfully submitted,

OLLIE'S BARGAIN OUTLET, INC.

By: /s/ Jeffrey P. Miller
Of Counsel

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Counsel for Ollie's Bargain Outlet, Inc.

CERTIFICATE OF SERVICE

I electronically filed the foregoing with the clerk of court for the United States District Court for the Eastern District of Virginia, on this 17th day of May, 2021 using the CM/ECF system, which will send notification of such filing (NEF) to all CM/ECF registered attorneys on the NEF, including:

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